

**FINDINGS OF CONFORMANCE
MULTIPLE SPECIES CONSERVATION PROGRAM
For Route 67 Self Storage
REZ 08-001, P08-002, ER 08-14-001**

December 9, 2008

I. Introduction

The project is a Rezone and Major Use Permit to develop and operate a 37,676 square foot, three-story mini-storage facility on a 2.16 acre parcel. The Rezone proposes to change the current zone from A70 (Limited Agriculture) to a RR (Rural Residential) zone that allows for mini-warehouses upon the approval of a Major Use Permit. The mini-storage facility would be constructed of masonry, stucco and metal. The facility would operate 7 days a week with perimeter fencing and gating; 24 hour video security/surveillance monitoring; a computerized access control entry and exit system; and a unidirectional, outer driveway to access the storage units. An on-site, two-bedroom, manager's unit (approximately 765 square feet) is planned for the second floor above the 600 square foot business office.

The project site is located at 12410 Lakeside Avenue between State Route 67 and Channel Road in the Lakeside Community Planning Area, within unincorporated San Diego County; APN 392-070-02. Slopes surround the site on the west, north and east sides. The southerly side of the site is adjacent to Lakeside Avenue. Several drainage basins connect and convey offsite drainage through the project site. The project site is currently developed and utilized as residential housing. Some construction material storage and other construction activities currently occur on the site. The site is located within the Metro-Lakeside-Jamul segment of the County's Multiple Species Conservation Program (MSCP) and is therefore subject to the Biological Mitigation Ordinance (BMO).

Habitats onsite consist of 2.02 acres of developed/ disturbed habitat and 0.14 acres of non-native grassland. Habitats off-site include 0.02 acres of Mulefat Scrub, 0.03 acres of Coastal Sage Scrub and 0.11 acres of developed land. Project impacts are listed in Table 1. Off site mitigation purchases within MSCP will be made for 0.07 acres of non-native grassland, 0.04 acres of Mulefat Scrub and 0.05 acres of Coastal Sage Scrub. The impacts will consist of clearing, grading, construction, and associated road improvements.

There was one sensitive plant species, the San Diego sunflower (*Viguiera laciniata*) observed on site. No threatened or endangered wildlife species were observed onsite although one County Group 2 sensitive wildlife species, the orange-throated whiptail (*Aspidoscelis hyperythrus beldingi*) was observed on site. The site is within the Metro-Lakeside-Jamul segment of the County Subarea Plan and is considered a Biological Resource Core Area (BRCA).

Table 1. Impacts to Habitat and Required Mitigation

Habitat Type	Tier Level	Existing On-site(ac.)	Existing Off-site (ac.)	Impacts On-site(ac.)	Impacts Off-site(ac.)	Mitigation Ratio	Required Mitigation
Mulefat Scrub	I	N/A	0.02	N/A	0.02	2:1	0.04
Coastal Sage Scrub	II	N/A	0.03	N/A	0.03	1.5:1	0.05
Non-Native Grassland	III	0.14	N/A	0.14	N/A	0.5:1	0.07
Developed	IV	2.02	0.11	1.30	0.50	N/A	N/A
Disturbed	IV	N/A	N/A	0.72	0.01	N/A	N/A
Total:	--	2.16	0.16	0.56	0.56	--	0.16

The findings contained within this document are based on County records, staff field site visits and the Biological Resource Map prepared by Robin Church of RC Biological Consulting; November 15, 2008. The information contained within these Findings is correct to the best of staff's knowledge at the time the findings were completed. Any subsequent environmental review completed due to changes in the proposed project or changes in circumstance shall need to have new findings completed based on the environmental conditions at that time.

The project has been found to conform to the County's Multiple Species Conservation Program (MSCP) Subarea Plan, the Biological Mitigation Ordinance (BMO) and the Implementation Agreement between the County of San Diego, the CA Department of Fish and Game and the US Fish and Wildlife Service. Third Party Beneficiary Status and the associated take authorization for incidental impacts to sensitive species (pursuant to the County's Section 10 Permit under the Endangered Species Act) shall be conveyed only after the project has been approved by the County, these MSCP Findings are adopted by the hearing body and all MSCP-related conditions placed on the project have been satisfied.

II. Biological Resource Core Area Determination

The impact area and the mitigation site shall be evaluated to determine if either or both sites qualify as a Biological Resource Core Area (BRCA) pursuant to the BMO, Section 86.506(a)(1).

A. Report the factual determination as to whether the proposed Impact Area qualifies as a BRCA. The Impact Area shall refer only to that area within which project-related disturbance is proposed, including any on and/or off-site impacts.

Areas along the San Diego River in the southern portion of the site are identified as pre-approved mitigation areas (PAMA) in the MSCP. Portions of this property are identified as a pre-approved mitigation area. According to Section 86.506 of the biological mitigation ordinance, land which is shown as pre-approved mitigation area qualifies as a Biological Resources Core Area (BRCA).

B. Report the factual determination as to whether the Mitigation Site qualifies as a BRCA.

Mitigation will occur at a County owned mitigation bank within a Pre-approved Mitigation Area within the County's Multiple Species Conservation Program (MSCP) Subarea Plan.

III. Biological Mitigation Ordinance Findings

A. Project Design Criteria (Section 86.505(a))

The following findings in support of Project Design Criteria, including Attachments G and H (if applicable), must be completed for all projects that propose impacts to Critical Populations of Sensitive Plant Species (Attachment C), Significant Populations of Narrow Endemic Animal Species (Attachment D), Narrow Endemic Plant Species (Attachment E) or Sensitive Plants (San Diego County Rare Plant List) or proposes impacts within a Biological Resource Core Area.

1. Project development shall be sited in areas to minimize impact to habitat.

Much of the proposed site has previously been developed with an existing residence, outbuildings, a driveway and fire clearing for the existing structures. The proposed development would replace the existing structures onsite thus utilizing the lands that have already been disturbed and reducing the amount of new impacts to habitat on the site.

2. Clustering to the maximum extent permitted by County regulations shall be considered where necessary as a means of achieving avoidance.

Although clustering, in the usual sense, is not applicable to this project, all development will occur as one large building rather than scattered development throughout the property. In addition, proposed parking for this project is placed directly around the perimeter of the proposed building.

3. Notwithstanding the requirements of the slope encroachment regulations contained within the Resource Protection Ordinance, effective October 10, 1991, projects shall be allowed to utilize design that may encroach into steep slopes to avoid impacts to habitat.

Steep slopes occur on and around the project site. Additional encroachment is not warranted as a measure of habitat avoidance.

4. The County shall consider reduction in road standards to the maximum extent consistent with public safety considerations.

The existing driveway to be realigned and replaced at the southern end of the property as well as the proposed 30' wide driveway at the northeastern end of

the property will only impact areas which have been previously developed. Therefore a reduction in road standards will not reduce habitat impacts.

- 5. Projects shall be required to comply with applicable design criteria in the County MSCP Subarea Plan, attached hereto as Attachment G (Preserve Design Criteria) and Attachment H (Design Criteria for Linkages and Corridors).**

Findings in accordance with Attachments G and H are provided below.

B. Preserve Design Criteria (Attachment G)

In order to ensure the overall goals for the conservation of critical core and linkage areas are met, the findings contained within Attachment G shall be required for all projects located within Pre-Approved Mitigation Areas or areas designated as Preserved as identified on the Subarea Plan Map.

- 1. Acknowledge the “no net loss” of wetlands standard that individual projects must meet to satisfy State and Federal wetland goals, policies, and standards, and implement applicable County ordinances with regard to wetland mitigation.**

There is a natural drainage toward the eastern edge of the site that qualifies as a wetland as defined by Section 404 of the Clean Water Act. This ephemeral drainage on-site does not qualify as an RPO wetland and will not be impacted by this project. In addition, an off-site storm drain is proposed within an RPO buffer area as it is necessary to protect adjacent wetlands. A Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers and a Streambed Alteration Agreement issued by the California Department of Fish and Game will be required as conditions of project approval. No direct impacts will occur to any wetlands and therefore, there will be no net loss of wetlands due to this project.

- 2. Include measures to maximize the habitat structural diversity of conserved habitat areas, including conservation of unique habitats and habitat features.**

The project has been designed to impact the most disturbed portions of the site. The project would permanently impact 0.14 acres of non-native grassland and 1.3 acres of disturbed habitat. Impacts to the non-native grassland would be considered significant and will be mitigated at a ratio of 0.5:1 for a total of 0.7 acres. Impacts to the disturbed habitat would not be significant as it is not considered sensitive habitat nor would it support sensitive species. Off site impacts from the construction of a storm drain will impact 0.02 acres of mulefat scrub and 0.03 acres of coastal sage scrub and will be mitigated through the purchase of 0.04 acres of mulefat scrub and 0.05 acres of coastal sage scrub.

- 3. Provide for the conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological value by the MSCP habitat evaluation model.**

The MSCP habitat evaluation model ranks the site as agriculture, developed and medium value. The habitat mapped as "medium value" is located to the northeast of the site in an area not directly impacted by development. The portion of the site mapped as "agriculture" and "developed" will be the areas directly impacted by the development of this project.

- 4. Create significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats. Subsequently, using criteria set out in Chapter 6, Section 6.2.3 of the MSCP Plan, potential impacts from new development on biological resources within the preserve that should be considered in the design of any project include access, non-native predators, non-native species, illumination, drain water (point source), urban runoff (non-point source) and noise.**

The project site has previously been impacted by residential development. Some construction material storage and other construction activities currently occur on the site. On-site conservation of habitat as part of the proposed project would only create a very small block of undisturbed habitat. Off-site mitigation as proposed by the project will aid in creating large blocks of high quality habitat where edge effects are minimal and land is protected in perpetuity

- 5. Provide incentives for development in the least sensitive habitat areas.**

The majority of development has been proposed in areas that impact the least sensitive habitats on the site. Development associated with this project occurs in the area which was previously developed with a single family residence and an area intended for agricultural use and utilized for the storage of construction supplies.

- 6. Minimize impacts to narrow endemic species and avoid impacts to core populations of narrow endemic species.**

No narrow endemic species have been identified on the project site. One County-sensitive wildlife species was observed on site: Orange-throated Whiptail (*Aspidoscelis hyperythrus beldingi*). This species was observed on the northern and eastern portion of the property in developed and non-native grassland habitats. San Diego sunflower (*Viguiera laciniata*), a County Group D plant species, was the only sensitive plant species identified onsite. These species are considered adequately conserved if appropriate habitat-based mitigation is applied. Habitat mitigation will be a condition of project approval. No other sensitive species have been identified on the project site.

7. Preserve the biological integrity of linkages between BRCAs.

The site is bordered by commercial development to the south and southeast, residential development to the west and undeveloped lands to the north and east. The land to the southwest and southeast of the site are designated as PAMA and therefore are BRCAs. Linkages between the BRCA lands to the southeast have been previously separated due to commercial development and the placement of Lakeside Avenue. Linkage between the BRCA to the southwest of the site will not be impacted as there has already been the development of a single family dwelling in this area.

8. Achieve the conservation goals for covered species and habitats (refer to Table 3-5 of the MSCP Plan).

No impacts are proposed to any species located on Table 3-5.

C. Design Criteria for Linkages and Corridors (Attachment H)

For project sites located within a regional linkage and/or that support one or more potential local corridors, the following findings shall be required to protect the biological value of these resources:

This property is not located within a regional linkage or corridor. There is a local corridor associated with the San Diego River located to the southeast of the project site. Although wildlife may move onto the site from the north, it is unlikely that wildlife will move through the site to access other habitat due to existing development to the east and south as well as the division created by the placement of Lakeside Avenue.

IV. Subarea Plan Findings

Conformance with the objectives of the County Subarea Plan is demonstrated by the following findings:

1. The project will not conflict with the no-net-loss-of-wetlands standard in satisfying State and Federal wetland goals and policies.

There is a natural drainage toward the eastern edge of the site that qualifies as a wetland as defined by Section 404 of the Clean Water Act. This ephemeral drainage on-site does not qualify as an RPO wetland and will not be impacted by this project. In addition, an off-site storm drain is proposed within an RPO buffer area as it is necessary to protect adjacent wetlands. A Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers and a Streambed Alteration Agreement issued by the California Department of Fish and Game will be required as conditions of project approval. No direct impacts will occur to any wetlands and therefore, there will be no net loss of wetlands due to this project.

- 2. The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.**

Only one native vegetation community exists on the property. Thus, the site does not support a highly diverse range of habitat types. The small size, irregular shape, surrounding development, and lack of high quality habitat and habitat features on the property make this site more suitable for development. Based on these conditions, the off-site mitigation measures will be more effective in maximizing diversity and preserving unique resources.

- 3. The project provides for conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological values by the MSCP habitat evaluation model.**

The MSCP habitat evaluation model ranks the site as agriculture, developed and medium value. The habitat mapped as "medium value" is located to the northeast of the site in an area not directly impacted by development. The 0.03 acres of impacted coastal sage scrub habitat off site is already impacted by the edge effects of existing commercial development and does not have long-term biological value.

- 4. The project provides for the creation of significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats.**

The project site has previously been impacted by residential development. Some construction material storage and other construction activities currently occur on the site. On-site conservation of habitat as part of the proposed project would only create a small block of undisturbed habitat. Off-site mitigation as proposed by the project will aid in creating large blocks of high quality habitat where edge effects are minimal and land is protected in perpetuity.

- 5. The project provides for the development of the least sensitive habitat areas.**

The project will impact 0.14 acres of non-native grassland on site and 0.02 acres of mulefat scrub and 0.03 acres of coastal sage scrub off site. The site has been previously disturbed by residential development. The project proposes development in a 2.02 acre portion the site which is currently developed/ disturbed. Impacts to 0.14 acres of non-native grassland for fire clearing and impacts to 0.02 acres of mulefat scrub and 0.03 acres of coastal sage scrub for an off site storm drain will be mitigated for off site.

- 6. The project provides for the conservation of key regional populations of covered species, and representations of sensitive habitats and their geographic sub-associations in biologically functioning units.**

One County-sensitive wildlife species was observed on site: Orange-throated Whiptail (*Aspidoscelis hyperythrus beldingi*). This species was observed on the northern and eastern portion of the property in developed and non-native grassland habitats. San Diego sunflower (*Viguiera laciniata*), a County Group D plant species, was the only sensitive plant species identified onsite. These species are considered adequately conserved if appropriate habitat-based mitigation is applied. Habitat mitigation will be a condition of project approval. No narrow endemic species have been identified on the project site. No other sensitive species have been identified on the project site.

- 7. Conserves large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate. Special emphasis will be placed on conserving adequate foraging habitat near Golden eagle nest sites.**

Due to the adjacent land uses, the impact of Lakeside Avenue and previous development, the site does not provide a wildlife linkage or corridor. The site's adjacency to existing development and small size make it unlikely to support significant mammal or raptor use. The site is not located in the vicinity of any known golden eagle nest sites or foraging areas.

- 8. All projects within the San Diego County Subarea Plan shall conserve identified critical populations and narrow endemics to the levels specified in the Subarea Plan. These levels are generally no impact to the critical populations and no more than 20 percent loss of narrow endemics and specified rare and endangered plants.**

No narrow endemic species have been identified on the project site. One County-sensitive wildlife species was observed on site: Orange-throated Whiptail (*Aspidoscelis hyperythrus beldingi*). This species was observed on the northern and eastern portion of the property in developed and non-native grassland habitats. San Diego sunflower (*Viguiera laciniata*), a County Group D plant species, was the only sensitive plant species identified onsite. These species are considered adequately conserved if appropriate habitat-based mitigation is applied. Habitat mitigation will be a condition of project approval. No other sensitive species have been identified on the project site.

- 9. No project shall be approved which will jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.**

The project has been designed to impact the most disturbed portions of the site. Connectivity to the San Diego River has been disrupted by commercial development and Lakeside Avenue. The project will not jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.

- 10. All projects that propose to count on-site preservation toward their mitigation responsibility must include provisions to reduce edge effects.**

The proposed project will not count on-site preservation towards mitigation. Mitigation for the impacts to non-native grassland, mulefat scrub and coastal sage scrub will occur at a County owned mitigation bank within a Pre-approved Mitigation Area within the County's Multiple Species Conservation Program (MSCP) Subarea Plan. The project will not result in isolated habitat or increased edge effects.

11. Every effort has been made to avoid impacts to BRCAs, to sensitive resources, and to specific sensitive species as defined in the BMO.

The project has been designed to impact the most disturbed portions of the site. The project will result in permanent impacts to approximately 0.14 acres of non-native grassland and 2.02 acres of disturbed/ developed habitat for the development of the site as well as fire clearing requirements. Offsite impacts will occur to 0.02 acres of mulefat scrub and 0.03 acres of coastal sage scrub for the placement of a storm drain.

Because of the project site's small size, 2.16 acres, and its surrounding land uses, onsite mitigation in the form of an open space easement would not be feasible or practical in preserving a large block of habitat. Impacts to the non-native grassland would be considered significant and would be mitigated at a ratio of 0.5:1 for a total of 0.07 acres. Offsite impacts to mulefat scrub would be considered significant and would be mitigated at a ratio of 2:1 for a total of 0.04 acres and offsite impacts to coastal sage scrub would be considered significant and would be mitigated at a ratio of 1.5:1 for a total of 0.05 acres. The two sensitive species, the Orange-throated Whiptail (*Aspidoscelis hyperythrus beldingi*) and the San Diego sunflower (*Viguiera laciniata*) were found in portions of the property that are not to be directly impacted by this project. Should impact occur to either of these sensitive species, they are considered adequately conserved if appropriate habitat-based mitigation is applied.

Ashley Gungle, Department of Planning and Land Use
December 9, 2008

MSCP Designation For Route 67 Self Storage R08-001, P 08-002, ER 08-14-001



<ul style="list-style-type: none"> Parcels Highways Freeways Streets Water Bodies Water Bodies MSCP_Designations - South Hardline Preserve Pre-Approved Mitigation Area (PAMA) Major Amendment Area Minor Amendment Area Minor Amendment Area Subject to Special Considerations 	<ul style="list-style-type: none"> Conserved Subject to Agreement with Wildlife Agencies Santa Fe Valley Open Space II Santa Fe Valley 'D' Designator Otay Ranch Areas Where No Take Permits will be Issued Take Authorized Area Unincorporated Land in Metro-Lakeside-Jamul Segment Other Community Planning Area
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